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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Toshimasa NAMEKAWA, et al.

SERIAL NO: 10/822,673

GAU: 2818

FILED: April 13, 2004

EXAMINER:

FOR: SEMICONDUCTOR DEVICE REALIZED BY USING PARTIAL SOI TECHNOLOGY

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references cited in the attached People's Republic of China Office Action and listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s), published application(s) or issued patent(s) which may be related to the present application. In accordance with the waiver of 37 CFR 1.98 dated September 21, 2004, copies of the cited pending applications are not provided. Cited published and/or issued patents, if any, are listed on the attached PTO form 1449.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☒ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Marvin J. Spivak

Registration No. 24,913


Carl E. Schlier

Registration No. 34,426

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

Form PTO 1449
(Modified)DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY DOCKET NO.
251445US2SCONTSERIAL NO.
10/822,673

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT
Toshimasa NAMEKAWA, et al.FILING DATE
April 13, 2004GROUP
2818

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	6,333,532 B1	12/25/2001	Bijan DAVARI, et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AO					
	AP					
	AQ					
	AR					
	AS					
	AT					
	AU					
	AV					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	
	AX	
	AY	
	AZ	

☐ Additional References sheet(s) attached

Examiner

Date Considered

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Applicant:	KABUSHIKI KAISHA TOSHIBA
Application No.:	021217823
Date of Notification:	November 5, 2004
Title of Invention:	Semiconductor Device

Notification of the First Office Action

1. ☒ The applicant has requested examination as to substance on and examination has been carried out on the above-identified patent application for the invention under Article 35(1) of the Patent Law of the People's Republic of China (hereinafter referred to as "the Patent Law").

☐ The Chinese Patent Office has decided to examine the application on its own initiative under Article 35(2) of the Patent Law.

2. ☒ The applicant claimed priority/priorities based on the application(s):

filed in Japan on December 28, 2001,

filed in Japan on February 27, 2002,

☒ The applicant has provided the priority documents certified by the Patent Office where the priority application(s) was/were filed.

3. ☐ The applicant submitted amendments to the application on _____ and on _____, wherein the amended _____ submitted on _____ and the amended _____ submitted on _____ are not acceptable, because said amendments do not comply with ☐ Article 33 of the Patent Law.

☐ Rule 51 of the Implementing Regulations of the Patent Law.

The specific reasons why the amendments are not allowable are set forth

in the text portion of this Notification.

4. ☒ Examination as to substance was directed to the initial application documents as filed.

☐ Examination as to substance was directed to the documents as specified below:

pages ____ of the description, claims ____ and pages ____ of the drawings submitted on _____,

pages ____ of the description, claims ____ and pages ____ of the drawings submitted on _____,

pages ____ of the description, claims ____ and pages ____ of the drawings submitted on _____,

the abstract submitted on _____, and the figure for the abstract submitted on _____.

5. ☐ This Notification is issued without search reports.

☒ This Notification is issued with consideration of the search results.

☒ Below is/are the reference document(s) cited in this Office Action (the reference number(s) will be used throughout the examination procedure):

No.	Number(s) or Title(s) of Reference(s)	Date of Publication (or the filing of conflicting application)
1	US6333532B1	December 25, 2001
2		
3		
4		

6. Conclusions of the Action:

☐ On the Specification:

☐ The subject matter contained in the application is not patentable under Article 5 of the Patent Law.

☐ The description does not comply with Article 26 paragraph 3 of the Patent Law.

☐ The draft of the description does not comply with Rule 18 of the Implementing Regulations.

☒ On the Claims:

☐ Claim(s) ____ does/do not possess the novelty as required by Article 22 paragraph 2 of the Patent Law.

☒ Claims 1-3 do not possess the inventiveness as required by Article 22 paragraph 3 of the Patent Law.

☐ Claim(s) ____ does/do not possess the practical applicability as required by Article 22 paragraph 4 of the Patent Law.

☐ Claim(s) ____ is/are not patentable under Article 25 of the Patent Law.

☐ Claim(s) ____ does/do not comply with Article 26 paragraph 4 of the Patent Law.

☒ Claims 1, 18, 21 and 25 do not comply with Article 31 paragraph 1 of the Patent Law.

☐ Claim(s) ____ does/do not comply with Article 33 of the Patent Law.

☐ Claim(s) ____ does/do not comply with the definition of inventions prescribed by Rule 2 paragraph 1 of the Implementing Regulations.

☐ Claim(s) ____ does/do not comply with the provisions of Rules 20-23 of the Implementing Regulations.

7. In view of the conclusions set forth above, the Examiner is of the opinion that:

☐ The applicant should make amendments as directed in the text portion of the Notification.

☒ The applicant should expound in the response reasons why the application is patentable and make amendments to the application where there are deficiencies as pointed out in the text portion of the Notification, otherwise, the application will not be allowed.

☐ The application contains no allowable invention, and therefore, if the applicant fails to submit sufficient reasons to prove that the application does have merits, it will be rejected.

8. The following should be taken into consideration by the applicant in making the response:

(1) Under Article 37 of the Patent Law, the applicant should respond to the office action within __ months counting from the date of receipt of the Notification. If, without any justified reason, the time limit is not met, the application shall be deemed to have been withdrawn.

(2) Any amendments to the application should be in conformity with the provisions of Article 33 of the Patent Law. Substitution pages should be in duplicate and the format of the substitution should be in conformity with the relevant provision contained in "The Examination Guidelines".

(3) The response to the Notification and/or revision of the application should be mailed to or handed over to the "Reception Division" of the Patent Office, and documents not mailed or handed over to the

Reception Divisions have no legal effect.

(4) Without an appointment, the applicant and/or his agent shall not interview with the Examiner in the Patent Office.

9. This Notification contains a text portion of 2 pages and the following attachments:

[X] 1 cited reference(s), totaling 18 pages.